

AFFIDAVIT

Sheriff's
Polk CountyOffice
Winter Haven, FLAgency ORI Number
FL0530000INCIDENT NUMBER
130043502

JUVENILE

X ADULT

BOOKING #

OFFENSE

IN CIRCUIT COUNTY COURT IN THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK
COUNTY, FL

SUBMITTING MEMBER ROGANA, ALAN

MEMBER # 6941

DATE/TIME OF ARREST/INCIDENT

7/5/2013 20:00:00

LOCATION OF INCIDENT 3143 CRYSTAL HILLS DR LAKELAND

NOTICE TO APPEAR

X

COMPLAINT AFFIDAVIT

ARREST REPORT

CITY OF LAKELAND (Unincorporated)

COUNTY OF POLK STATE OF FLORIDA

ROBERT H. MOFFITT

THE UNDERSIGNED AFFIANT SWEARS SHE/HE HAS JUST AND REASONABLE GROUNDS TO BELIEVE THAT ON

07/05/13 AT

APPROXIMATELY 20:00:00

IN THE VICINITY OF LAKELAND

POLK COUNTY FLORIDA

VOSBURG, VIVIAN

ALIAS

LAST

FIRST

MIDDLE

ADDRESS 3143 CRYSTAL HILLS DR LAKELAND, FL 33801

PHONE

RACE/SEX

W/F

DOB

5/11/1983 HT

411 WT

150 LBS

EYES

BRN

HAIR

BLN

COMP

BUILD

SPEECH

SCARS

TPOB

MARITAL STATUS

DOB

ST FL

SSN

OCCUPATION

EMPLOYER/SCHOOL

DOLLAR GENERAL

PHONE

JOV-PARENTS

PHONE

N/A

NOTICE TO APPEAR/OF APPOINTMENT

I AGREE TO APPEAR IN COURT/AT

20

AT

FLORIDA ON

TO PAY THE PRESCRIBED FINE FOR THIS OFFENSE. I UNDERSTAND THAT A WILLFUL FAILURE TO APPEAR WILL RESULT IN A WARRANT FOR MY ARREST AND MAY BE A NEW OFFENSE (DO NOT BE LATE)

Defendant/Violators Signature

Parent/Guardian Signature

Date

COMMITTED THE OFFENSE(S) OF:

Knowing Abuse Child w/o Bodily Harm

FNS-FAC-CD

827.03(2)(C) Counts: 2

FIFTH DEGREE 13

Child Neglect w/o Great Harm

FNS-FAC-CD

827.03(3)(C) Counts: 4

FIFTH DEGREE 13

AFFIDAVIT
CONTINUATION

Sheriff's
Polk County



Office
Winter Haven, FL

DATE: 10/17/13

Agency Case Number:
FL0530000

INQUIRY NUMBER:
130043502

COMPLAINANT:

VICTIM WITNESSES:

Victim _____	B/M	N/A
Victim _____	B/F	N/A
Victim _____	B/M	N/A
Victim _____	B/M	N/A
Victim _____	W/F	N/A
Victim _____	B/M	N/A

PROBABLE CAUSE:

Victim #1 is _____, 12.
 Victim #2 is _____, 12.
 Victim #3 is _____, 9.
 Victim #4 is _____, 10.
 Victim #5 is _____, 11.
 Victim #6 is _____, 14.

The suspect is Vivian Lee Vosburg W/F, 05/11/1983, 30.

On 10/17/13 I was made aware of a video that had been posted on the social media website Facebook in or about July 2013. The video depicts what appears to be two (2) juvenile boys fighting on a bed. An adult female then enters and begins to punch and hit victim #2, later identified as _____. The suspect then leans over and punches victim #1, later identified as _____. _____ in the face who then slides off the bed and onto the floor. The suspect then continues to hit and punch victim #2 while victim #1 slides off the bed and onto the floor. During the video four (4) children were seen in the area of the incident. These children were later identified as _____. The incident location was later determined to 3143 Crystal Hills Drive, Lakeland (Polk County).

I responded to _____ and conducted a screening with _____ during which he disclosed being hit on the head by _____, Vivian Lee Vosburg (suspect). After _____ and _____ had got into a fight, _____ stated _____ were present at the time.

I responded to _____ and conducted a screening with _____, during which he stated he did not remember being hit _____ during the incident with _____, but that she had hit him in the past. _____ stated _____ were present at the time.

Both victims were transported, by the Department of Children and Families, to the Child Advocacy Center in Bartow where a forensic interview was conducted. During his interview _____ denied being hit stating she disciplines by taking away electronics and grounding him.

During _____ interview he stated he and _____ were fighting when _____ entered the room and began hitting him on the back of the head and shoulders to get him off _____. _____ stated _____ did not hit _____ during the incident.

I responded to 3143 Crystal Hills Drive, Lakeland and made contact with Vivian Lee Vosburg. Vivian agreed to an interview and drove herself to the Sheriff's Operation Center in Winter Haven. At the onset of the interview I advised Vivian she was not under arrest, she did not have to talk to me and she was free to leave at any time. Vivian acknowledged she understood and continued with the interview. DCF also responded to the home and screened the remaining children. Two (2) of the children screened admitted to being present during the recorded incident; however, were unable to advise who recorded the fight.

AFFIDAVIT
CONTINUATION

Sheriff's
Polk County



Office
Winter Haven, FL

FILED NO.

Allegation Number
FL0530000

INCIDENT NUMBER
130043502

I showed Vivian the video we had been made aware of and she stated that _____ and _____ were "seriously fighting." She then said "I don't do this to _____," that _____ were fighting and choking each other. Vivian had been having "a bad day" and she tried to break them up. I expressed to Vivian my issue was that she was using closed fists to punch the children and she replied by saying she was not hitting the boys hard.

Vivian repeatedly stated she was not feeling well that day, that she had a long day at work and _____ were continually fighting. I asked her where she hit _____ to which she stated she accidentally hit him. She then admitted she hit _____ one time on the face and _____ about ten (10) times on the back of the head and shoulders. Vivian claimed the reason she continued to hit _____ after _____ slid off the bed was because he was trying to get up to fight _____ more.

Vivian admitted she did go too far "that day I did" because she wasn't feeling that good that day and that "that day it got out of hand." She said afterwards she did feel guilty and she had apologized to _____ and _____.

Based on the images depicted on the video, statements given by the victims during screening and interviews and the admission of the alleged suspect to punching the victims with a closed fist, probable cause exists that Vivian Lee Vashburg did commit the offense of Child Abuse (2 counts) and Child Neglect (4 counts) for committing the abuse in the presence of four (4) _____ children.

SWORN TO AND SUBSCRIBED BEFORE ME, THE UNDERSIGNED AUTHORITY, THIS _____ 18 DAY OF _____ October 2013

This affidavit was electronically signed

DIAZ, VICTOR 6424

HOGAN, ALAN 6041

DEPUTY CLERK/DEPUTY DEPUTY CLERK

ATTORNEY